

HOUSE BILL 2713

By Turner M

AN ACT to amend Tennessee Code Annotated, Section 6-58-111, relative to amendment to growth plan for the purpose of annexation by ordinance and referendum annexation in non urban growth boundary areas.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 6-58-111(a), is amended by deleting the phrase "Notwithstanding any provision of this title or any other law to the contrary," and capitalize the letter "a" as the first word of the sentence.

SECTION 2. Tennessee Code Annotated, Section 6-58-111(c), is amended by deleting (c) in its entirety and substituting instead the following:

(c)(1) Prior to a municipality annexing by ordinance territory outside its existing urban growth boundary whether the territory desired for annexation is within another municipality's urban growth boundary or a county's planned growth area or rural area, it must first amend the growth plan by having its desired change to the urban growth boundary submitted to the coordinating committee and then receive a recommendation for or against the amendment from the coordinating committee, the coordinating committee then must submit the proposed amendment with its recommendation to all the legislative bodies for approval. If the amendment to the growth plan is approved by the legislative bodies or by the dispute resolution panel, it is then submitted to the local government planning advisory committee for its approval. This amendment process must follow the procedure as outlined in section 6-58-104 and the criteria for establishing an urban growth boundary as delineated in section 6-58-106.

(c)(2) As an alternative to a municipality annexing in a county's planned growth area or rural area by first amending the growth plan as described in subdivision (1), a municipality may annex within a county's planned growth area or rural area, but the annexation must be by referendum only and not by ordinance. The municipality must follow the referendum process as provided for in sections 6-51-104 and 6-51-105.

SECTION 3. Tennessee Code Annotated, Section 6-58-111, is further amended by deleting subsection (d) in its entirety.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.